

April 22, 2005

DAN O'DONNELL
PO BOX 532
LACONNER WA 98257

Subject: Complaint Filed Against Wayne Everton – PDC Case No. 05-016

Dear Mr. O'Donnell:

The Public Disclosure Commission (PDC) staff has completed its review of your complaint received August 16, 2004, alleging that Wayne Everton, Mayor of LaConner, authorized the use of LaConner public facilities to assist the 2004 campaign of Dino Rossi, a candidate for Governor, an alleged violation of RCW 42.17. 130

The PDC staff reviewed your allegation in light of the following statute:

RCW 42.17.130 prohibits elected officials, their employees, and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate's campaign. Facilities of public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency.

You alleged that LaConner Mayor Wayne Everton authorized the use of a room in the Maple Hall Center, a facility owned by the Town of LaConner, to assist the 2004 campaign of Dino Rossi for Governor. You alleged that the room was used by the Rossi campaign, but was not paid for by either the Rossi campaign or by Mayor Everton.

We found that:

- Wayne Everton was Mayor of LaConner in 2004.
- NAIFA Life Insurance Underwriters group rented the City of LaConner Maple Hall auditorium for a conference May 24-26, 2004. Gubernatorial candidate Dino Rossi was a guest speaker of the group on May 24th. Mayor Everton was contacted by a member of the Rossi campaign several days before the Underwriters conference

and asked to reserve a room for Senator Rossi to meet with interested members of the public after he addressed the insurance group.

- Mayor Everton asked a LaConner staff member to “pencil in” a reservation for the Upper Maple room for a “speaker for the town.” Senator Rossi used the room to meet with members of the public, and his campaign did not pay for use of the room. The room was reserved for May 24, 2004, from 11:30 a.m. until 2:00 p.m. Town of LaConner staff was not able to state the exact times the room was actually in use by the Rossi campaign.
- Mayor Everton stated to PDC staff that he was not aware that the Maple Hall Center was rented in sections, and assumed that the underwriters’ reservation entitled the group to use the entire building as part of their fee for the conference. When he learned of the complaint filed against him, he contacted the reservation clerk and paid for the use of the room.

Mayor Everton was not aware that the rental cost for the Upper Maple Room used by Senator Rossi had not been previously paid for by the underwriters’ insurance group that had rented the Maple Hall Auditorium. When Mayor Everton learned that there was an additional fee for use of the room, he immediately paid the fee personally. Mayor Everton is now aware of the requirements for renting a city facility for campaign purposes and no formal enforcement action will be taken in this instance.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Wayne Everton, Mayor of the Town of LaConner.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll free at 1-877-601-2828.

Sincerely,

Vicki Rippie
Executive Director

c: Wayne Everton